

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9803 of 2024

Satish Kumar Verma S/o Late Ayodhya Prasad, R/o H.No. E/57, Kh. No. 874/2, Chhatarpur Extension, Chhatarpur, P.S. Mahrauli, Dist- South Delhi, Delhi-110074

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Urban Development and Housing Department, Patna, Government of Bihar.
2. The Real Estate Regulatory Authority, Bihar, Patna.
3. The District Magistrate Cum Collector, Patna.
4. Prasambi Design and Construction Private Limited, through the Director Prabhash Kumar Resident of Vill-Rampur, Tola- Rampur Tola, Panch-Rampur Block- Murliganj PS-Murliganj, Madhepura, Bihar- 852122
5. Prabhash Kumar, S/o Fuleshwar Yadav, resident of Ward No-08, Rampur, Anchal- Murliganj, Rampur, Madhepura, Bihar- 852122
6. Anima Bharti, W/o Prabhash Kumar, resident of Ward No-08, Rampur, Anchal- Murliganj, Madhepura, Bihar-852122
7. Dilip Narayan, S/o Fuleshwar Yadav, resident of Ward No-08, Rampur, Anchal- Murliganj, Rampur, Madhepura, Bihar- 852122

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Prasad, Adv. Mr.Deepak Kumar, Adv.
For the State	:	Mr.Sita Ram Yadav, GP-16 Mr.Yatindra Narayan, AC to Ex.GP-16
For the RERA	:	Mr.Jainandra Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 18-09-2024 1. The present writ petition has been filed for directing the respondent-authorities to recover the due amount, as directed by an order dated 29.10.2021/29.11.2021, passed by the Ld. Real Estate Regulatory Authority (hereinafter referred to as 'RERA'), Bihar, Patna, in Execution Case No.40 of 2019/RERA/Case No.CC/18/2018.
2. At the outset, the learned counsel for the



petitioner seeks a direction upon the District Magistrate, Patna to ensure that the cases filed against the private respondents no.4 to 7 under the provisions of the Bihar and Orissa Public Demands Recovery Act, 1914 are concluded, expeditiously.

3. The learned counsels appearing for the respondents no.1 to 3 submit that they have got no objection if a direction is issued to the District Magistrate, Patna to ensure institution and disposal of the certificate proceedings expeditiously.

4. Having regard to the facts and circumstances of the case, this Court is of the view that in case the RERA, Bihar, Patna has referred the matter, pertaining to recovery of the amount in question, in pursuance to the orders passed in Execution Case No.40 of 2019/RERA/CC/18/2018, filed by the petitioner before the RERA, Bihar, Patna, to the District Certificate Officer, Patna, for institution of appropriate cases under the Bihar and Orissa Public Demands Recovery Act, 1914, against the defaulting builder, it is incumbent upon the District Magistrate, Patna to ensure initiation/conclusion of the aforesaid cases, within a period of 12 weeks of receipt/production of a copy of this order.

5. Accordingly, the present writ petition stands



disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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